

AMENDED IN ASSEMBLY APRIL 15, 1997
AMENDED IN ASSEMBLY MARCH 18, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 206

Introduced by Assembly Member Hertzberg

February 4, 1997

An act to add Chapter 5.1 (commencing with Section 8321) to Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 206, as amended, Hertzberg. Citizen Complaint Act of 1997.

Existing law provides for the establishment and operation of state agencies.

This bill would require state agencies, including the California State University, to make available on their Internet web sites, on or before July 1, 1998, or within 6 months of the establishment of such a site, whichever is later, a plain language form through which residents of the state can register complaints relating to the performance of that state agency. This bill would require state agencies making a complaint form available on their Internet web sites to advise individuals calling to lodge a complaint of specified information, to include their Internet web site address in the telephone directory, ~~to respond within an unspecified number of days of the receipt of a completed complaint form,~~

and to forward a copy of the form to the Department of Consumer Affairs. This bill would also ~~require~~ *authorize* public libraries, to the extent permitted through donations, to provide Internet access to their patrons and to advertise that they provide Internet access. These provisions would be known as the Citizen Complaint Act of 1997.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.1 (commencing with Section 8321) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 5.1. CITIZEN COMPLAINT ACT OF 1997

8321. This chapter shall be known and may be cited as the Citizen Complaint Act of 1997.

8322. (a) State agencies shall make available on their Internet web sites, on or before July 1, ~~1988~~ 1998, or within six months of the establishment of such a site, whichever is later, a plain-language form through which residents of California can register complaints relating to the performance of that agency. The Internet web site shall provide instructions on filing the complaint electronically or on the manner in which to download, complete, and mail the complaint form to the state agency.

(b) Any printed complaint form used by a state agency as part of the process of receiving a complaint against any licensed individual or corporation subject to regulation by that agency shall make the form available on its Internet web site, on or before July 1, 1998, or within six months of the establishment of such a site, whichever is later. The Internet web site shall provide instructions on filing the complaint electronically or on the manner in which to download, complete, and mail the complaint form to the state agency.

(c) State agencies making a complaint form available on their Internet web site shall:

(1) Advise individuals calling the state agency to lodge a complaint of both of the following:

(A) The availability of the complaint form on the Internet web site.

(B) That public libraries provide Internet access.

(2) To the extent feasible, include their Internet web site address in the telephone directory in order that citizens will be aware that they may contact the state agency via the Internet or by telephone.

~~(3) Respond within _____ days of receipt of the completed form referred to in subdivision (a).~~

~~(4)~~

(3) Forward a copy of the form to the Department of Consumer Affairs which shall compile all of these forms and make them available on the Internet for distribution to public libraries so that citizens may familiarize themselves with a form prior to filing a complaint electronically.

(d) Public libraries, to the extent permitted through donations, ~~shall~~ may do each of the following:

(1) Provide Internet access to their patrons.

(2) Advertise that they provide Internet access.

(e) Notwithstanding subdivision (a) of Section 11000, state agency as used in this section includes the California State University.

8323. *It is the intent of the Legislature that this chapter not affect the application of the Reporting of Improper Governmental Activities Act (Article 3 commencing with Section 8547) of Chapter 6.5).*